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July 23, 2008

VIA FACSIMILE & FIRST CLASS MAIL
Hon. Douglas F. Eaton
United States District Court, Southern District of New York
500 Pearl Street, Room 1360
New York, New York 10007

Re: Angel Deleon v. R.D. Rice Construction, Inc., et al.
U.S. District Court, Southern District of New York
Case No.: 08CV2517(SAS)

Dear Honorable Sir:

This firm represents the Plaintiff, Angel Deleon in the above-referenced matter. In a letter dated May 15, 2008, our office notified the Court that a settlement in this matter had been reached for the sum of Two Hundred Forty-Five Thousand ($245,000.00) Dollars. However, to date, despite having forwarded all the necessary settlement documents to defense counsel on June 5, 2008, full payment of the settlement proceeds has yet to be received.

On July 11, 2008, our office received a check in the amount of $10,000.00 from Third-Party Defendant, RG Glass Creations, Inc. Robinson & Cole, LLP, attorneys for third-party defendant, First Specialty Insurance, Co., has recently notified our office that their client's payment of $20,000.00 will be forwarded in next several weeks.

Our office has not yet received settlement funds in the sum of $20,000.00 from Bivona & Cohen, P.C., attorneys for defendant, Empire Erectors and Electrical Co., Inc. Additionally, Goldberg & Associates, attorneys for defendants The Padded Wagon, Inc. and Rigged Rite, Inc. has refused to forward their client's settlement draft in the amount of $195,000.00 until they receive releases from all co-defendants.

My associate, Jennifer Fink, Esq., has made numerous phone calls to all of the parties involved but we have been unable to obtain their cooperation to resolve this matter.

It is respectfully requested that the Court schedule a conference in the hope of resolving this issue. Thank you for your attention to this matter.

Respectfully Submitted,
Gersowitz, Libo & Korek, P.C.

Andrew L. Libo (8335)

cc:

Hon. Shira A. Scheindlin
United States District Court, Southern District of New York
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